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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 22 November 2004 from the Permanent Representative of Israel to the United Nations addressed to the Chairman of the Committee

Pursuant to paragraph 4 of Security Council resolution 1540 (2004), please find attached the report of the State of Israel (see annex).

(*Signed*) Dan Gillerman
Ambassador
Permanent Representative

05-21254 (E) 020305

Annex to the letter dated 22 November 2004 from the Permanent Representative of Israel to the United Nations to the Chairman of the Committee

State of Israel: Report to the Security Council Committee established pursuant to paragraph 4 of Security Council resolution 1540 (2004) of 28 April 2004

In response to Security Council Resolution 1540, the State of Israel submits its report regarding the steps that it has taken to fight proliferation of weapons of mass destruction and their means of delivery.

1. Proliferation of WMD and ballistic missiles constitutes a fundamental threat to national, regional and international peace and security.

2. The growing threat of illicit trafficking in WMD-related materials and know-how and the risk that non-state actors may acquire, develop, traffic in or use WMD adds a new dimension to existing threats, particularly in the light of the dangers posed by terrorist groups.

3. The State of Israel supports international efforts to curb proliferation of WMD and their means of delivery, in particular to and by non state actors. Accordingly, Israel welcomes the adoption of UNSC Resolution 1540, which aims to identify concrete steps against proliferation of WMD.

4. Israel is committed to the implementation of UNSC resolution 1540.

Introduction

5. As a state that has been living under conventional and non-conventional threats, including that of missiles, and continues to face the threat of terrorism on a daily basis, Israel's policy is designed to prevent proliferation of WMD. Israel has taken legal and practical measures, with an aim to curb proliferation and reduce such threats, giving high priority to this issue.

6. On the national level, Israel has consolidated its above mentioned policy through legislation and practices, enforced by its authorities. Israel's legislation and practices, and their enforcement, encompass a wide range of measures intended to prevent proliferation of non-conventional weapons, as well as to prevent terrorists or states sponsors of terror from acquiring such weapons. These include intelligence-gathering and sharing, improving border controls, developing advanced detection and identification devices, enhancing facility security, and export controls.

7. In the regional and international sphere, Israel has remained committed to promoting bilateral and regional peace, security and stability. In the absence of the necessary regional atmosphere, Israel has made significant efforts to improve international cooperation in the field of non proliferation, including through cooperation with multilateral export control regimes. Israel also supports other international initiatives such as the Proliferation Security Initiative (PSI) and the Global Threat Reduction Initiative (GTRI).

8. Israel is committed to acting forcefully against any form of support for terrorism. Accordingly, Israel does not provide support to non-state actors involved in terrorism and actively confronts any attempt by non-state actors to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

9. The fight against proliferation has been placed high on Israel's national security agenda. Israel is constantly seeking ways to improve and develop its capabilities in this field.

Legislation

10. Consonant with UNSC Resolution 1540, Israel's legal infrastructure in relation to non-proliferation is based upon an extensive set of legal instruments which are designed to effectively prevent the proliferation of items related to nuclear, chemical and biological weapons and their means of delivery. This legislation controls goods and technologies that may be used by non-state actors, states supporting terrorism and other countries of concern in the manufacture, development, delivery and use of WMD. The most recent legislative development is the adoption of a new order controlling chemical, biological and nuclear exports, thereby upgrading existing national legislation and consolidating current practice.

11. Major legislative instruments:

a) Chemical, Biological and Nuclear exports: The Import and Export Control Order (Control of Chemical, Biological and Nuclear Exports), 2004.

The new export control order establishes a licensing system for the export of dual-use goods, technology and services.

The order includes a catch-all clause prohibiting the export of goods, technology and services which the exporter knows are intended for use in the development or the production of chemical, biological and nuclear weapons.

The list of materials covered by the order is based on the export suppliers' regimes lists of the Nuclear Suppliers Group (NSG) and the Australia Group (AG).

b) Missile Technology exports: Commodities and Services Control Order (Export of Defense Equipment and Defense Know-how), 1991 in conjunction with the Commodities and Services Control Proclamation (Missile Equipment and Technology), 1995; Free Export Order (Missile Equipment and Technology), 1995.

12. The above mentioned legislation sets forth provisions for effective export licensing systems. The licensing processes involve the Ministry of Trade and Industry, Ministry of Foreign Affairs and Ministry of Defense. The legislation also provides for criminal and administrative penalties in case of violations.

13. Supplementing its export control legislation is an extensive set of legal instruments relating to anti-terrorism, including funding of terrorist entities. This legislation is a major instrument in Israel's ongoing war on terrorism and as such applies to WMD related terrorism as well.

14. Anti-terrorism legislation includes the Terrorism Prevention Order (1948), the Detention of Illegal Combatants Act (2002), relevant provisions of the Israeli penal code, additional emergency legislative instruments and future legislation currently in process. A full survey of Israel's counter-terrorism legislation is included in the Israeli reports to the Counter Terrorism Committee and is available on the UN website.

(www.un.org/Docs/sc/committees/1373/submitted_reports.html)

Implementation and Enforcement at the National Level

15. The Israeli Government has designated the Ministry of Industry, Trade and Labor as the competent authority for the implementation of its export control system. The Foreign and Defense Ministries also have a key role in implementing aspects of the relevant legislation.

16. The Israeli Customs Authority is the competent authority responsible for enforcing regulations preventing the export of unlicensed WMD-related goods, investigating offences and taking appropriate action.

17. In addition, the Israeli Customs Authority, together with other relevant responsible authorities, is currently involved in the development of a computerized system that will build profiles for identifying cargo/shipments suspected of violating customs laws and regulations, including those concerning WMD.

18. In implementing its policy and legal instruments in the field of non-proliferation, Israel's law enforcement authorities are constantly reviewing their procedures in order to ensure effective implementation and enforcement.

19. The Israeli Government has taken measures to enable and encourage the industry and the public to comply with the export control provisions. To this end, the Government of Israel has worked with the relevant industries and has informed them of their obligations under the export control legislation, including through outreach workshops, publications and governmental websites.

International Cooperation

20. Israel attaches high priority to international cooperation in the field of non-proliferation. Over the years, Israel has made significant efforts to enhance bilateral and multilateral cooperation and has embraced relevant international norms and standards.

21. Aware of and deeply concerned by the threat to international and regional peace and security, Israel has pursued a consistent policy of adherence to the relevant multilateral export control regimes.

22. In implementing this policy, Israel has adopted appropriate legislation controlling exports through the application of the MTCR, AG and NSG control lists. It is Israel's intention to update these lists keeping the scope of Israel's national export controls abreast with international standards.

23. On June 1st 2004, Israeli Deputy Prime Minister and Minister of Foreign Affairs, Mr. Silvan Shalom, announced Israel's policy of adherence to the Australia Group export control regime. This policy has been reflected in the new export control legislation.

24. The Director General of the Israel Atomic Energy Commission, Mr. Gideon Frank, has recently notified the Nuclear Suppliers Group on Israel's nuclear export control legislation and its policy of adherence to this regime.

25. The Government of Israel ratified the Convention on Physical Protection of Nuclear Material in 2001. The ratification of the CPPNM gave expression to Israel's recognition of the importance of preventing proliferation and the struggle against non-conventional terrorism and illicit trafficking of nuclear materials and equipment. Israel actively supports and participates in efforts to strengthen the physical protection of nuclear materials within the framework of the convention.

26. Israel has also supported the IAEA Nuclear Security Fund aimed at combating nuclear terrorism. Israel has made voluntary contributions and donations in-kind to support the IAEA activities in this field.

27 Israel shares the concern that radioactive sources might be used to commit acts of terrorism. Preventing such threats from materializing requires that these materials remain under full control of the competent authorities and be used properly. In this context Israel has endorsed the IAEA Code of Conduct on the Safety and Security

of Radioactive Sources on March 2004 and encourages other countries to do the same.

28. In view of the growing importance of export controls over WMD- related material, Israeli experts in this field have taken part in several meetings and seminars in order to learn from the experience of and conduct a dialogue with their counterparts from other countries.

29. Israel is aware that a number of states may request aid for the purpose of implementing the Security Council resolution in their countries. Israel stands ready to consider specific requests for such assistance as appropriate for states lacking the legal and regulatory infrastructure and implementation experience.

30. In conclusion, Israel welcomes U.N. Security Council Resolution 1540, expressing grave concern for the threat of illicit trafficking in nuclear, chemical, or biological weapons and their means of delivery, in particular to non-states actors.

31. Israel would suggest that similar determination be devoted to the bilateral and multilateral efforts to curb the transfer, acquisition and use of MANPADS and very short-range rockets and missiles by non-state actors.

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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 24 November 2004 from the Permanent Representative of Cyprus to the United Nations addressed to the Chairman of the Committee

Upon instructions of my Government, I have the honour to submit herewith the first report of the Republic of Cyprus on the implementation of Security Council resolution 1540 (2004), further to your note verbale dated 21 June 2004 (see annex).

(*Signed*) Andreas D. Mavroyiannis

04-66375 (E) 030205

Annex to the letter dated 24 November 2004 from the Permanent Representative of Cyprus to the United Nations addressed to the Chairman of the Committee

Republic of Cyprus

Implementation of Security Council resolution 1540 (2004)

National Report

I. Introduction

The Republic of Cyprus reiterates its full support for the universalisation, full implementation and strengthening of all multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons.

In this context we recognize the importance of the unanimous adoption of Security Council Resolution 1540 (2004) as the first UNSC resolution to address the issue of the proliferation of weapons of mass destruction and their means of delivery as a threat to international peace and security and to highlight the need for an enhanced coordination of efforts on national, subregional, regional and international levels in order to meet this serious challenge and to strengthen the global response to it.

The Republic of Cyprus has taken a number of legislative and executive measures to comply with binding legal obligations under treaties to which it is party and other commitments made in the context of the prevention of the proliferation of nuclear, chemical or biological weapons. These measures and policies which are reviewed and updated on a regular basis, are outlined below.

II. Overview of Legal, Executive and Enforcement Action

1. International Instruments related to WMD ratified by the Republic of Cyprus

Disarmament and Non-proliferation Agreements

- **Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare (17 June 1925)**
  The Republic of Cyprus deposited its instrument of succession on 12 December 1966
- **Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (5 August 1963)**
  The Republic of Cyprus deposited its instrument of ratification with the Governments of the Russian Federation, United Kingdom and United States of America on 21 April 1965, 15 April 1965 and 7 May 1965, respectively,Law No. 13/1965
- **Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (27 January 1967)**
  The Republic of Cyprus deposited its instrument of ratification with the Governments of the Russian Federation, United Kingdom and United States of America on 20 September 1972, 5 July 1972 and 5 July 1972, respectively, Law No. 42/1972
- **Treaty on the Non-Proliferation of Nuclear Weapons (1 July 1968)**
  The Republic of Cyprus deposited its instrument of ratification with the Governments of the Russian Federation, United Kingdom and United States of America on 10 February 1970, 5 March 1970 and 16 February 1970, respectively, Law No. 8/1970
- **Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof (11 February 1971)**

The Republic of Cyprus deposited its instrument of ratification with the Governments of the Russian Federation, United Kingdom and United States of America on 17 November 1971, 17 November 1971 and 30 December 1971, respectively, Law No. 63/1974

- **Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (10 April 1972)**
  The Republic of Cyprus deposited its instrument of ratification with the Governments of the Russian Federation, United Kingdom and United States of America on 21 November 1973, 6 November 1973 and 13 November 1973, respectively, Law No. 56/1973
- **Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (13 January 1993)**
  Ratified on 28 August 1998, Law No. 8(III)/1998
- **Comprehensive Nuclear-Test-Ban Treaty (24 September 1996)**
  Ratified on 18 July 2003, Law No. 32(III)/2003

In the context of the IAEA:

- **Agreement for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (26 June 1972)**
  Signed on 18 January 1973, Law No.3/1973

- **Protocol Additional to the Agreement for the Application of Safeguards in Connection with the Treaty of the Non-Proliferation of Nuclear Weapons (29 July 1999)**
  Signed on 9 August 2002, Law No. 27(III)/2002

- **Convention on the Physical Protection of Nuclear Material (3 March 1980)**
  Ratified on 23 July 1998, Law No. 3(III)/1998

- **Convention on Nuclear Safety (20 September 1994)**
  Acceded on 17 March 1999, Law No. 20(III)/1999

Other international instruments:

- **The Rotterdam Convention on the Prior Informed Consent for Certain Hazardous Chemicals and Pesticides in International Trade**
  Ratified in 2004, Law No. 20(III)/2004

2. Membership in Export Control Regimes

- **Nuclear Suppliers Group**
  The Republic of Cyprus joined the NSG on 20 April 2000
- **Australia Group**
  The Republic of Cyprus joined the Australia Group in October 2000
- **Missile Technology Control Regime**
  The Republic of Cyprus has applied for full membership in July 2003

- **Wassenar Arrangement**
  The Republic of Cyprus has applied for full membership in August 2003

3. Participation in other initiatives aimed at preventing the proliferation of WMD

- **Hague Code of Conduct against the Proliferation of Ballistic Missiles (25 November 2002)**

- **Proliferation Security Initiative (31 May 2003)**
  The Council of Ministers, in its decision dated 5.5.2004, declares its full support to the said initiative. Furthermore, on 11.06.2004, the Minister of Foreign Affairs of the Republic of Cyprus announced the intention of Cyprus to participate in the initiative. The Republic of Cyprus, supports the principles and goals of the PSI, and is willing to cooperate with all PSI participating states for the furtherance of these goals.

4. Activities as a member of the European Union

As of May 1st 2004 the Republic of Cyprus is a member of the European Union. The present report is therefore complementary to the EU report on the implementation of UNSC resolution 1540.

The Thessaloniki European Council in June 2003 agreed that preventing the proliferation of WMD should be a priority for the European Union, both internally and in its relations with third countries and agreed an Action Plan for addressing the issue.

As a member of the EU, Cyprus is engaged in the full and comprehensive implementation of the EU Strategy and Action Plan against the proliferation of WMD.
In particular, it is fully committed to:

- *pursuing the universalisation of disarmament and non-proliferation agreements while stressing the importance of effective national implementation;*
- *ensuring compliance with non-proliferation commitments by making best use of and, when appropriate, strengthening international inspection/verification mechanisms;*
- *strengthening export control policies;*
- *introducing a stronger non-proliferation element in relationships with some partners;*
- *expanding co-operative threat reduction initiatives and assistance programmes;*

5. Legislative and Administrative Measures

The Republic of Cyprus has a broad range of legislative measures in place to prevent the proliferation of WMD, including by non-state actors. The main laws are:

- **The Defence (Exportation of Goods) Regulations of 1993**
- **The Customs Law No. 94(I) of 2004**

Also:

- **The Safety and Health at Work Law of 1996, Law No.89(I)/1996**
- **The Dangerous Substances Law of 1991, Law No. 199/91**
- **The Protection from Ionising Radiation Law of 2002, Law No. 115(I)/2002**
- **The Genetically Modified Microorganisms (Contained Use) Law of 2002, Law No. 15(I)/2004**
- **The Law Regulating the Brokering in the Exchanges of Certain Goods, Law No. 83(I)/2003**

Under these laws, regulations or ministerial decrees are issued in order to address and regulate specific issues. (Ministerial decrees are a form of delegated legislation and have the status of a public instrument).

The most important regulations/ministerial decrees which address specific matters raised in UNSC resolution 1450 are the following:

- **Under the Defense (Exportation of Goods) Regulations of 1993**
  The said Regulations provide for the criminalization of the offences prescribed in the decrees outlined below.

- **Ministerial Decrees 91/2000 (31.3.2000) and 133/2000 (2.6.2000)**
  It regulates the exportation, re-exportation or transit of goods and substances in compliance with the obligations which emanate from the membership of the Republic of Cyprus in the Nuclear Suppliers Group and the Australia Group.

- **Ministerial Decree 354/2002 (26.7.2002)**
  Decree for the Regulation of Arms Exports, Obligations of the Republic of Cyprus in compliance with the EU Code of Conduct on Arms Exports

- **Ministerial Decree 355/2002 (26.7.2002)**
  Decree for the Regulation of Exports of Dual Use Goods and Technology in compliance with EU Regulation 1334/2000 of 22.6.2000

- **Ministerial Decree 62/2003 (31.1.2003)**
  Amendment of the Defense (Exportation of Goods) Regulations of 1993.
  The said amendments aim at expanding the legal regime of the issuance of exportation licenses to dual use goods and the exportation of military equipment.

- **Ministerial Decree 528/2003 (13.6.2003)**
  This Decree updates the list of Ministerial Decree 355/2002 which regulates the exportation of dual use goods.

- **Ministerial Decree 601/2004 (11.6.2004)**
  This Decree further amends Ministerial Decree 355/2002 by incorporating EU Regulation 1334/2000.

- **Ministerial Decree 602/2004 (11.6.2004)**
  This Decree updates Ministerial Decree 354/2002 of 26.7.2002 by amending the list of military equipment which is subject to export licensing.

Based on the Safety and Health at Work Law of 1996

- **The control of Major Accidents Hazards Related to Dangerous Substances Regulations of 2001, P.I. 507/2001**

- **The control of Major Accidents Hazards Related to Dangerous Substances Notification of 2002, P.I. 211/2002**

Based on the Dangerous Substances Law of 1991

- **The Dangerous Substances (Amendment) Laws of 1997, 2002 and 2004, Laws 27(I)/97, 81(I)/2002, 194(I)/2004**

- **The Dangerous Substances (Classification, Packaging and Labelling of Dangerous Substances and Preparations)(Amendment) Regulations of 2002 and 2004, P.I. 292/2002, 536/2004**

6. Executive/Enforcement Action

A number of mechanisms have been set up to implement Cyprus' obligations and policies in relation to counter WMD proliferation. These are:

- **National Committee for the implementation of the Convention on the Prohibition of Chemical Weapons**

- **Committee on Export Control of the Ministry of Trade and Industry**

- **National Intelligence Unit of the Customs and Excise Department**

- **Special Anti-smuggling Team of the Customs and Excise Department**

- **Mobile Units of the Customs and Excise Department**

More specifically action is coordinated by the:

Coordinating Unit to Combat International Terrorism

This Unit was set up on 12.12.2001 after a Decision by the Council of Ministers for the purpose of coordinating the activities of the relevant Ministries and Departments in the fight against terrorism and in the suppression of illegal activities. The competences of the Unit cover the areas of illegal arms sales and brokerage, illicit arms trafficking as well as trafficking of harmful chemical substances and of dual-use goods.

The Unit is chaired by the Deputy Attorney-General and consists of representatives from a wide range of departments.

7. Areas of Competence of Governmental Agencies

Ministry of Trade, Industry and Tourism

The Ministry of Trade, Industry and Tourism is responsible for the issuance of export licenses, in relation to the export, re-export and transit of dual use goods and other military equipment. The approval or rejection of an application for the issuance of an export license is based on a number of factors, including Cyprus? obligations pursuant to UNSC, EU, OSCE decisions or other obligations undertaken in the context of its membership to the Export Control Regimes, the credibility of the parties concerned, the political situation in the recipient country, human rights considerations and the end use of the goods.

In considering these requests the Ministry of Commerce, Industry and Tourism has to consult, on a case by case basis, with other Ministries and Departments such as the Ministry of Foreign Affairs, the Ministry of Defense, the Ministry of Justice and Public Order, the Customs and Excise Department and the Ministry of Health.

Department of Labour Inspection

The Department of Labour Inspection of the Ministry of Labour and Social Insurance has competence in the area of nuclear safety, health and safety at work, control of dangerous chemicals and GMMs. It also oversees the implementation of the relevant legislation in cooperation with other Government Departments.

Customs and Excise Department

The Customs and Excise Department has the main responsibility for preventing the import and export of unlicensed goods, investigating offences and taking appropriate action including prosecution of offenders.

More specifically, its main competences lie in the enforcement of national legislation providing for prohibitions and restrictions in the import and export of sensitive goods. It is empowered with, inter alia, conducting a physical examination of goods, requesting the procurement of the necessary documents, carrying out searches of persons, premises, customs controlled areas, vehicles, vessels or aircrafts in accordance with existing legislation, taking samples, having access, detaining or seizing goods or documents, conducting audit controls, instituting legal proceedings before the appropriate court and fostering international collaboration on customs issues with other customs departments.

III. Operative part of UNSC resolution 1540

Operative paragraph 1
Decides that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

The Republic of Cyprus does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. Any such activity or support is prohibited under Cyprus law. The relevant Cyprus legislation has been outlined in the previous section, under Legislative and Administrative Measures.

Operative paragraph 2
Decides also that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

Obligations under NPT, CTBW and CWC are enacted in Cyprus law.

Law No. 3(III)/1998 establishes the offence of the development, production, supply, stockpiling, use and transfer of chemical weapons. Maximum penalty is 15 years.

Operative paragraph 3
Decides also that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

(a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;

(b) Develop and maintain appropriate effective physical protection measures;

There are a number of measures in force to establish effective domestic controls including the Radiation Inspections and Control Service in the Department of Labour Inspection which operates a licensing system for ionizing radiation sources and relevant practices, including nuclear material.

Strict controls are also provided for under the Dangerous Substances and Major Hazards legislation of the Department of Labour Inspection.

For the more effective control of these materials the Department of Labour Inspection is in close collaboration with the Customs and Excise Department.

(c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

The control and checks on the exportation of sensitive goods is the responsibility of the Department of Customs and Excise. Customs officers are empowered by Customs legislation to check whether the goods to be exported are subjected to an export license and to verify that it corresponds to the goods that are to be exported.

The legal basis for the enforcement of import and export control is Customs Code Law No. 94(I) of 2004 together with other national legislation providing for prohibitions and restrictions on the import and export of sensitive goods.

In addition to the existing mechanisms and in order to exercise more effective controls in the movement of certain goods a Special Anti-smuggling Team was set up in July 2002 by the Customs and Excise Department at Limassol Port.

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations;

Please see above in 5. Legislative and Administrative Measures, under Section II. Overview of legal, executive and enforcement measures the enumeration of the existing export control system in place.

Operative paragraph 5

Decides that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention

or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;

The Republic of Cyprus is a State Party to the Nuclear Non-Proliferation Treaty (NPT); the Chemical Weapons Convention(CWC) and the Biological and Toxin Weapons Convention(BTWC). The Republic of Cyprus is also a member of the IAEA and the OPCW and participates in the continuing work by the States Party to strengthen the verification mechanism and implementation of the BTWC.

Operative paragraph 6

Recognizes the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;

The Republic of Cyprus supports the system of effective multilateral export control regimes. It is a member of the Nuclear Suppliers Group and the Australia Group since 2000 and has applied for full membership to the Missile Technology Control Regime and the Wassenar Arrangement in 2003. It has also signed the Code of Conduct Against Ballistic Missile Proliferation.

The Republic of Cyprus maintains and regularly updates national export control lists.

Operative paragraph 7

Recognizes that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

The Republic of Cyprus has taken the following action:

- *EU Common Position, November 2003, on the universalization of the main multilateral non-proliferation agreements (NPT, BTWC, CWC)*

In the context of the EU it has aligned with the EU policies of lobbying for the universalization of the IAEA Comprehensive Safeguards Agreement and Additional Protocol, the inclusion of a non-proliferation clause in EU-third country mixed agreements and in the EU lobbying for non-state parties to join multilateral treaties, in order to achieve their universalization.

Operative paragraph 8

Calls upon all States:

(a) To promote the universal adoption and full implementation, and, where, necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

The Republic of Cyprus has consistently supported the universal adoption, full implementation and strengthening of multilateral treaties for the prevention of nuclear, biological or chemical weapons to

which it is party. In this context, it has participated in the process of the strengthening of the verification mechanism and implementation of the BTWC.

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;

The Republic of Cyprus has enacted national rules and regulations for compliance with commitments undertaken as party to key multilateral non-proliferation treaties. It regularly updates its legislation to meet its obligations.

(c) To renew and fulfill their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

The Republic of Cyprus has been a staunch supporter of multilateral cooperation in all international fora in pursuance of common objectives in the area of non-proliferation and promotion of international cooperation for peaceful purposes.

(d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;

Exporters are informed about control requirements through publications in the press and through the official website of the Ministry of Commerce, Industry and Tourism. Announcements are also sent to the Cypriot Chamber of Commerce and to the Employers and the Industrialist Federations.

In addition, a relevant exporter guide is being prepared.

Operative paragraph 9
Calls upon all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery;

The Republic of Cyprus has been working very closely with its partners bilaterally and in all relevant international fora, both as a member of the EU and the Export Control Regimes to promote dialogue and cooperation on non-proliferation and on how best to address the threat posed by proliferation of nuclear, chemical and biological weapons and their means of delivery.

Operative paragraph 10

Further to counter that threat, calls upon all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

The Republic of Cyprus fully supports taking cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery and related materials.

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 29 November 2004 from the Permanent Mission of Croatia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Croatia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to Security Council resolution 1540 (2004) and, with reference to his note verbale, has the honour to transmit herewith the report of the Republic of Croatia on the implementation of Security Council resolution 1540 (2004) (see annex).

04-66191 (E) 180205

Annex to the note verbale dated 29 November 2004 from the Permanent Mission of Croatia to the United Nations addressed to the Chairman of the Committee

Report of the Republic of Croatia on the implementation of Security Council resolution 1540 (2004)

The Republic of Croatia welcomes all international efforts contributing to the prevention of proliferation of weapons of mass destruction (WMD), including Security Council resolution 1540 (2004), adopted on 28 April 2004.

The prerequisites to reducing the WMD threat are joining the multilateral regimes for disarmament and prevention of WMD proliferation, implementing international agreements in this respect, facing the threats and eliminating them before they fully evolve, and building capacities for an appropriate response and minimization of possible effects of attacks.

Only a strong international cooperation can reduce the possibility of WMD and its equipment and technology falling into the hands of terrorists. Croatia supports the view that the efforts in preventing WMD proliferation must be global, flexible and focused on anticipating possible developments. In addition to multilateral forms, such as the cooperation within the framework of the UN, OSCE, EAPC, and NATO/PfP, Croatia has positive experience in regional (Stability Pact, SEDM) and bilateral cooperation in the prevention of WMD proliferation.

Based on such experience, Croatia supports further programs of assistance for improving the control of arms exports, strengthening border security, re-evaluating and improving legal regulations, intensifying the exchange of information, and sensitizing the public to the issue of proliferation.

Croatia is an active participant and a party to a number of international legal instruments concerning arms control and non-proliferation.

Croatia holds that preventing the proliferation of all arms, particularly the weapons of mass destruction and their means of delivery, dual use goods, as well as small arms and light weapons, is a top priority and a prerequisite to efficiently fighting international terrorism and other security threats.

LEGISLATIVE ACTION

Control of export and import

The export and import of arms and dual use goods are regulated by a Government Ordinance. The Ministry for Economic Affairs, Labor and Entrepreneurship is responsible for issuing import/export licenses for arms and military equipment for commercial purposes and for dual use goods, following the opinion of the Inter-agency Commission. In the last twelve months, the Commission has greatly improved its operation in terms of creating better databases, controlling the authenticity of documentation more efficiently, and increasing international cooperation. In July 2004, the Law on Control of Dual-Use Goods Export was passed. The regulation containing a List of Dual Use Goods

will be issued by the Government in accordance with the EU Council Directive 149/2003 of 27 January 2003.

Croatia's priorities in the next period will be to incorporate the issue of trade mediation without export or import into the national legislation (beginning in the autumn of 2004 and ending in 2005) and to continue institutional capacity building for an efficient control of export and import (including brokering), and to further intensify international cooperation in this respect.

Border management and security

Within the framework of the 2001 CARDS Twinning Project for Integrated Border Management/Police, the new Law on State Border Control was prepared and fully harmonized with the EU legislation. The Law entered into force in November 2003. All by-laws have been prepared and should be adopted by the end of 2004. In accordance with the new Law and the results of the above-mentioned project, the Government is to issue an Ordinance on the Internal Organization of the Ministry of the Interior, and already at the end of 2004 and at the beginning of 2005, the reorganization and re-staffing of the border police at regional and local levels will begin. Pursuant to the Law, the Strategy for the Development of Border Police in terms of organization, staffing, education and technical matters has been developed.

EXECUTIVE ACTION

Border management and security

Currently, Croatia is implementing changes in the police standards concerning border security, with a view to meeting the criteria and other requirements necessary to achieve compatibility with the Schengen criteria.

Within the 2001 CARDS, an analysis has been undertaken concerning the situation and the needs for technical equipment, the list of priorities and minimum Schengen standards for border crossings. Within the 2004 CARDS, the project for the Modernization of State Border Control has been nominated and approved, and now project documentation is being prepared. Within the 2005 PHARE, a project for continuing to equip the border police has been proposed. The National Budget has also envisaged an allocation for the technical equipment of border police.

The Agreement on Transborder Cooperation with Slovenia is in place and its implementation is good. Croatia is also negotiating the signing of such an Agreement with Bosnia and Herzegovina, and has initiated signing it with the Republic of Hungary. Within the 2003 CARDS, a concept of international border police cooperation will be developed, as well as the concept for setting up joint contact services and the exchange of liaison officers. This way, Croatia intends to include and regulate the entire trans-border police cooperation.

By the end of the year, the Cooperation Agreements between the Republic of Croatia and the Republic of Bulgaria, as well as and the Republic of Macedonia in the context of rapprochement and accession to the European Union are expected to be ratified. Their implementation will contribute to the

harmonization with the EU in the fields of migrations (legal and illegal), asylum, border cooperation, combating trans-border crime, harmonizing legislation, and readmission agreements.

Croatia welcomes all forms of bilateral and multilateral cooperation in border management and security. Croatia is participating in several multilateral initiatives aimed at strengthening border services and trans-border cooperation (jointly with NATO, EU, Stability Pact, and OSCE), and it also cooperates and maintains contacts at the level of experts with all the neighboring countries, including the exchange of information, as one of the most important forms of cooperation.

The initiative which led to establishing the Ohrid Border Process was strongly supported by Croatia. It is an important forum for regional cooperation and a means to evaluate the readiness and the level of expertise in the countries of Southeast Europe in terms of border management and security. Croatia is focusing on the programs offered by multilateral partners in the Process (NATO, EU/EC, Stability Pact, OSCE) which correspond with its specific needs, and has put its experts for border issues at disposal.

Since April 2003, the NCB (Interpol) Zagreb has been working on System I-24/7 and has also been included in obtaining advanced IT equipment through the EC/CARDS Interpol Balkan Project.

Within the 2001 CARDS Twinning Project for Integrated Border Management-Interagency Cooperation, the Draft Strategy for Integrated Border Management has been developed. By the end of 2004, the plan for its implementation will be completed, and its implementation will begin in early 2005. The Strategy will contribute to a better cooperation between all the border services, consisting of three parts: international cooperation, inter-agency cooperation, and cooperation within an individual service.

Croatia's priorities in the next period will include building general institutional capacities in relation to border security. Within the 2002 CARDS Twinning Project for the Development of National IT System for Border Management - Phase I, Croatia plans to set up a central base of the system to which the border crossings at Bajakovo and the Zagreb Airport will be linked. The implementation is expected to begin towards the end of 2004, and it will take 24 months. Upon the completion of this project, the next phase will be to link several border crossings to this system. The project has been approved within the 2003 CARDS.

INTERNATIONAL INSTRUMENTS

Croatia is a contracting party and an active party to most important international treaties and conventions, and a signatory to the documents on non-proliferation of weapons for mass destruction and conventional weapons, export and import control, arms control and anti-mine action: Nuclear Non-Proliferation Treaty (NPT); Convention on Physical Protection of Nuclear Material (CPPNM); Comprehensive Nuclear Test-Ban Treaty (CTBT); Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction(CWC); Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction ; Hague Code of Conduct against Ballistic Missile Proliferation (HCOC); Vienna

Document 99 (VD 99); Agreement on Subregional Arms Control (ASAC). Croatia has accepted the principles contained in the EU Code of Conduct for Arms Exports.

Croatia has applied for the Missile Technology Control Regime (MTCR), as well as for the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies (WA), and has also expressed its interest in joining the Australia Group, the Nuclear Suppliers Group, and the Zangger Committee.

ARMS CONTROL

The cooperation in the implementation of the Agreement on Subregional Arms Control - ASAC (Annex 1B to the Dayton Peace Agreement) has produced very significant results and has contributed to the fact that the parties have come much closer to the basic goal of the Agreement: establishing new forms of cooperation in security, aimed at achieving transparency, encouraging trust, and attaining balanced and stable minimum levels of defense force necessary for the security of individual parties to the Agreement. Croatia is fully committed to all forms of cooperation within the ASAC, and it is ready to consider proposals for further improvement of arms control mechanisms on subregional and regional levels.

Croatia continues to actively support and contribute to confidence and security building measures (CSBM) in Southeast Europe. It is regularly fulfilling its obligations under Vienna Document 99.

In connection with Article V of Annex 1B to the Dayton Agreement, Croatia has offered a quota of four additional inspections on its territory, two of which have already been conducted by the Republic of Hungary and the Republic of Macedonia. Croatia has expressed its readiness to consider the possibility of extending the cooperation to other mechanisms within Article V.

Croatia supports further active approach to CSBM within other international fora as well, such as the OSCE Forum for Security Cooperation. RACVIAC is one of the most appropriate places in the Southeast European region where such measures can be practically implemented. From the year 2005 on, Croatia will actively join the Open Skies Treaty.

Croatia's priorities in the following period will be to work on further promotion of confidence and security building measures through the activities contributing to institutional capacity building in the states of the region to enable them to face security challenges such as fighting international terrorism.

TECHNICAL ASSISTANCE TO OTHER STATES

Croatia strongly supports regional cooperation, being an active participant in the Stability Pact, SEDM, SECP, and RACVIAC, with their programs for fighting international terrorism. Croatia expresses its interest in securing - particularly within the framework of the U.S.-Adriatic Charter, the Proliferation Security Initiative, and also within the aforementioned initiatives in the states of the region - the transfer of its expertise and experience, with the Ministry of the Interior currently in the forefront, and the Ministry of Defense having formed special groups for supporting defense reforms in

Bosnia and Herzegovina and Serbia and Montenegro. The defense reforms in these states should bring them closer to the standards and membership of Euroatlantic structures and enable them to face the security challenges of today, such as international terrorism.

Croatia hosted important international events related to weapons of mass destruction (e.g. the first exercise within OPCW Assistex took place in Croatia, as well as a series of seminars on CBMTS Industry I, II, III). Croatia intends to continue such practice in future.

FUTURE PRIORITIES

With a view to efficiently preventing the proliferation of weapons for mass destruction, Croatia has joined, is about to join, or is considering joining, all relevant international mechanisms. Croatia has supported the Proliferation Security Initiative (PSI), as one of the most appropriate processes focused on concrete action, and the Statement of Interdiction Principles, expressing readiness to actively contribute to the operation of the Initiative, within the bounds of its institutional possibilities and of its national legislation.

The goal is to strengthen the national security of the Republic of Croatia, and to contribute to international efforts in preventing WMD proliferation. In order to achieve this objective, an inter-agency working body for WMD issues will be set up, and the national WMD-related resources, competencies and capacities will be registered; bilateral consultations with international partners will be organized, possible improvements in the national legislation and specific areas of cooperation and possible contribution of the Republic of Croatia will be defined.

One of the possibilities under intensive consideration is cooperation within the U.S.-Adriatic Charter in preventing the proliferation of WMD.

The Agreement with OPCW (Organization for the Prohibition of Chemical Weapons) on providing a platoon for radiological, biological and chemical decontamination is being prepared. The platoon would respond in case of a chemical incident. It is the same platoon for response within NATO.

Zagreb, November 2004

United Nations S/AC.44/2004/(02)/87

Security Council

Distr.: General
20 December 2004
English
Original: Spanish

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 7 December 2004 from the Permanent Mission of Mexico to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Mexico to the United Nations presents its compliments to the Chairman of the Committee and, with reference to the note dated 21 June 2004, has the honour to transmit herewith the report on measures taken to implement Security Council resolution 1540 (2004) (see annex).

05-21445 (E) 280205 030305

Annex to the note verbale dated 7 December 2004 from the Permanent Mission of Mexico to the United Nations addressed to the Chairman of the Committee

Initial report of the Government of Mexico to the Security Council Committee established pursuant to resolution 1540 (2004) of 28 April 2004, submitted in accordance with paragraph 4 thereof

Paragraph 1

Mexico does not produce nuclear, chemical or biological weapons or their means of delivery; it does not, therefore, provide any form of support to State or non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use such weapons or their means of delivery.

Paragraph 2

Article 2 of the Regulations Act relating to article 27 of the Constitution of the United Mexican States establishes that nuclear energy may be used only for peaceful purposes. Likewise, article 24 establishes that the aim of safeguards is to organize and maintain a State system for nuclear material accountancy and control, to ensure that such materials are not diverted to the manufacture of nuclear weapons or other unauthorized uses.

Article 139 of the Federal Penal Code characterizes the offence of terrorism, establishing that any person who, by the use of explosives, toxic substances or firearms or by arson, flooding or any other violent means, perpetrates acts against persons, property or public services which result in alarm, fear or terror among the population or among a group or sector of the population, for the purpose of disturbing the peace, attempting to undermine State authority or bringing pressure to bear on the authorities to take a particular decision, shall be liable to a penalty of two to 40 years' imprisonment and a fine of up to 50,000 pesos, without prejudice to the penalties laid down for the resulting offences.

In addition, on 28 January 2004, reforms were introduced to various laws relating to financial institutions with a view to establishing measures and procedures relating to the prevention, detection and reporting of acts, omissions or operations that could promote or provide financial support, assistance or cooperation to international terrorist groups. These legal reforms were mentioned in the report of the Secretary-General on measures to eliminate international terrorism.[1]

Mexico is also a member of the Financial Action Task Force on Money Laundering (FATF), which has drawn up a series of international parameters to combat the financing of terrorism, known as the Eight Special Recommendations. Mexico actively participates in this group, as it believes that these recommendations constitute effective cooperation measures to prevent and suppress terrorist acts and the organizations that commit them. Upon joining FATF, countries must be evaluated to determine to what extent they are complying with the recommendations on money-laundering and terrorist financing. Mexico has therefore issued general provisions to prevent, detect and report acts, omissions or operations that could

[1] A/59/210 of 5 August 2004.

promote or provide support, assistance or cooperation of any kind for terrorist financing and money-laundering. These provisions are in line with international standards.

Paragraph 3 (a)

On 1 February 2004, the General Customs Administration, an agency of the Tax Administration Service (SAT), a decentralized body of the Ministry of Finance and Public Credit, established the Operational Liaison and Security Unit, with a view to: (1) coordinating emergency response programmes and security issues relating to Mexican customs; (2) liaising on such response programmes between federal government agencies, federal entities and municipalities; and (3) maintaining a link with the customs services of other countries and agencies responsible for implementing legislation on emergency response and security issues.

As explained below, with regard to paragraph 8 (b), an inter-ministerial mechanism has been set up and is currently discussing the formulation of regulations and controls, particularly with regard to chemical and bacteriological weapons.

The General Customs Administration is negotiating with the customs administrations of other countries, in particular the United States Customs and Border Protection (CBP) and the Canada Border Services Agency (CBSA), with a view to securing training courses aimed at providing officials in Mexico's 48 customs houses with expertise in detecting related materials. Funding is also being sought to enable Mexico to acquire and implement high-tech systems and equipment so that biological, radioactive and chemical agents can be detected at the points of entry into the national territory.

The National Nuclear Safety and Safeguards Commission (CNSNS) has established a State system for nuclear and radioactive material accountancy, thereby fully complying with the commitments undertaken by Mexico under the international instruments concerned.

Likewise, under domestic legislation, anyone wishing to use, store or transport nuclear or radioactive materials must obtain a licence or authorization from CNSNS.

Paragraph 3 (b)

Acting in collaboration with the International Atomic Energy Agency (IAEA), the National Nuclear Safety and Safeguards Commission has taken various measures to strengthen the Mexican Government's efforts to ensure the physical protection of nuclear material and facilities.

In addition to organizing and/or participating in various training courses on the issue, CNSNS, in collaboration with IAEA, has improved the physical safety of both the Nuclear Centre (operated by the National Nuclear Research Institute (ININ)) and the Laguna Verde nuclear power plant. New gates equipped with magnetic arcs and air jets to detect the presence of explosives have been installed at the entrance to the Laguna Verde reactors. It should be pointed out that Mexico is a State party to the Convention on the Physical Protection of Nuclear Material.

Paragraph 3 (c)

The General Customs Administration is in permanent contact with the customs services of other countries, and with international organizations, in order to obtain and provide any information and documentation that, on the basis of international cooperation, may help to detect, prevent and combat the illicit trafficking and brokering in nuclear, chemical and biological weapons, their means of delivery and related materials.

The General Customs Administration has drawn up standard operating procedures for the 19 customs houses on the border and those at Mexico's major airports, in order to facilitate safe trade.

In this context, a Customs Emergency Manual has been prepared for the personnel responsible, establishing standard procedures for dealing with emergencies and securing customs services against possible terrorist acts.

The role of the special unit in the Office of the Attorney-General to investigate terrorism and arms stockpiling and trafficking is to dismantle existing criminal organizations involved in arms trafficking and prevent the development of terrorist organizations, by exercising the powers conferred on it in articles 1 and 2, paragraph II, of the Federal Organized Crime Act. This unit is responsible for promoting due access to justice with regard to terrorism.

As for border controls, in accordance with article 4 of the Act establishing the Federal Preventive Police, the Ministry of Public Security (SSP), in cooperation with the relevant authorities, monitors and inspects border areas for purposes of maintenance of public order and peace, safeguarding of the integrity of persons and crime prevention.

The General Customs Administration lobbied the Ministry of Economic Affairs to get the proposal regarding creation of 12 specific tariff items for precursor chemical materials that can be used to manufacture chemical weapons submitted to the Foreign Trade Commission (COCEX) for approval. It is envisaged that, following publication in the *Diario Oficial*, the specific tariff items will be included in annex 10 (Register of specific sectors) and annex 21 (Exclusive customs) of the Foreign Trade General Rules for 2004.

The General Customs Administration believes that establishing specific tariff items in the General Import and Export Taxes Act will make it possible to safeguard national security by managing information on foreign trade operations relating to precursor chemical materials that can be used to manufacture chemical weapons. It will also be possible to verify and detect importers and to determine both the volume of such operations and the customs houses being used for the import, export and, where applicable, transit of such materials. It will also be possible to identify the country of origin, the value of the materials concerned, the suppliers and any other information needed to safeguard national security and prevent terrorist acts both within and outside the national territory.

Paragraph 3 (d)

Mexico is a State party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Treaty of Tlatelolco. In March 2004, Mexico also signed — and is currently ratifying — an Additional Protocol to its IAEA Safeguards

Agreement. In accordance with these legal instruments, Mexico is in the process of establishing import, export and, where applicable, trans-shipment and re-export controls on nuclear or radioactive materials.

Imports of substances included in the Schedules of chemicals drawn up in the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) are subject to prior authorization from the Inter-Ministerial Commission for Controlling the Processing and Use of Pesticides, Fertilizers and Toxic Substances (CICOPLAFEST). This Commission is composed of representatives of the Ministries of Economic Affairs, Health, Environment and Natural Resources, and Agriculture, Livestock, Rural Development, Fisheries and Food. These substances are controlled through the customs system in place at Mexico's ports of entry. As yet, no operations involving substances listed in Schedule 1 of the Chemical Weapons Convention have been detected.

As mentioned with respect to paragraph 2 of Security Council resolution 1540 (2004), the general provisions relating to the prevention, detection and reporting of operations linked to terrorism financing and money-laundering are mandatory for the various financial entities monitored by the National Banking and Securities Commission, and incorporate the international standards recommended by international bodies of which Mexico is a member. The aim of these provisions is to: (i) establish and improve "know your customer" policies in order to monitor operations and detect changes in customers' transactional profile; (ii) ensure that monitored entities submit reports on sizeable, unusual or worrying transactions so that the relevant authorities have all the elements needed to process that information and can obtain data that may be useful during an investigation; (iii) secure the adoption of automated systems for conserving, classifying, identifying and monitoring customer transactions and reports received; and (iv) establish a Communications and Control Committee responsible for implementing "know your customer" policies, assessing financial operations and classifying customers according to how much risk there is that they will use entities to carry out illicit terrorism financing or money-laundering acts or operations.

Paragraph 7

The Mexican Government has identified a number of areas such as access to justice, extradition, illegal arms trafficking, police services and draft legislation concerning which a request could be made for advice, technical assistance and model legislation.

For its part, the Government, through the Office of the Attorney-General, is able to offer advice and technical assistance on matters relating to extradition, limited to theoretical and informative aspects relating to extradition proceedings in Mexico, pursuant to international treaties and domestic legislation.

Paragraphs 8 (a) and (c)

Annex 1 contains the list of international treaties to which Mexico is a party.

On 29 March 2004, Mexico also signed an Additional Protocol to the Agreement between the United Mexican States and the International Atomic Energy Agency for the Application of Safeguards in relation to the Treaty for the

Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The Additional Protocol is in the process of being ratified.

Having regard for the agreement reached at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), at the third session of the Preparatory Committee for the 2005 Review Conference of the Parties to NPT, Mexico submitted a national report on implementation of article VI of NPT and of paragraph 4 (c) of the principles and objectives for nuclear non-proliferation and disarmament adopted in 1995.[2]

The report draws attention, inter alia, to Mexico's active participation in efforts to promote the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

It also states that Mexico is continuing its efforts in the Conference on Disarmament to give effect to the decision by the Conference in August 1998 to establish an ad hoc committee to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, which should also include consideration of the issue of existing arsenals, with a view to their destruction.

The report notes that Mexico stresses the need for the nuclear-weapon States to take measures to ensure that fissile material is placed as soon as possible under IAEA or other relevant international verification. It also notes that, both in an individual capacity and within the New Agenda Coalition (Brazil, Egypt, Ireland, New Zealand, South Africa and Sweden), Mexico is continuing to promote the full implementation of the principles of irreversibility, transparency and verification of nuclear disarmament and nuclear arms control, including measures for arms reduction and elimination.

For the Mexican Government, the recent international debate on weapons of mass destruction confirms that the sole guarantee against the use of such weapons is their total elimination and the assurance that they will never be used or produced again.

For that reason, Mexico has given substantive support to the establishment and implementation of verification regimes, particularly in relation to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC), recognizing that they contribute to complete, non-discriminatory and verifiable disarmament under strict international control.

Likewise, as a State party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (CBW), Mexico actively participates in the annual meetings of States parties and in the meetings of experts on the issue. The measures taken by the Mexican Government were presented at the first meeting of the States parties to the Convention, held in Geneva from 10 to 14 November 2003.[3]

[2] NPT/CONF.2005/PC.III/23 of 29 April 2004.

[3] BWC/MSP.2003/MX/WP.60 of 29 August 2003.

Mexico notes with interest the additional measures proposed by a number of Member States aimed at improving domestic legislation, establishing safety standards for the handling and transport of pathogenic micro-organisms and setting up State systems for controlling genetic engineering and biotechnology-related activities. Mexico also welcomes proposals to establish both effective international cooperation mechanisms for investigating suspicious outbreaks of diseases and procedures for addressing concerns relating to compliance with the Convention, as well as proposals to train personnel to work in international rapid response teams in the event of biological emergencies, among other initiatives.

However, Mexico considers that advances in the domestic legislation of States parties with regard to implementation of the Convention and developments in international cooperation in this area should not overshadow the need to provide the Convention with a verification regime to ensure that its provisions are fully implemented.

Paragraph 8 (b)

Mexico adopted the Act on civil liability in case of nuclear damage, which aims to regulate civil liability for damage caused through the use of nuclear reactors and nuclear substances, fuel and waste, on 31 December 1974.

On 26 January 1979, following the entry into force of the Regulations Act relating to article 27 of the Constitution, on nuclear issues, Mexico set up the National Nuclear Safety and Safeguards Commission (CNSNS) as the regulatory body responsible for monitoring the implementation of nuclear, radiological and physical safety standards and safeguards in order to ensure that nuclear and radioactive facilities operate with the highest consideration for the safety of the general public and the environment.

On 22 November 1988, the General Rules on Radiological Safety, which regulate the use, possession, storage, transport and disposal of radioactive materials and all radiological activities in the country, were published in the *Diario Oficial*.

With regard to nuclear and radiological safety, the Mexican Government has drawn up 43 official rules consisting in mandatory technical regulations which are issued by the relevant standardization agencies through their respective National Advisory Standardization Committees, in accordance with article 40 of the Federal Weights and Measures and Standardization Act (LFMN). These rules are listed in annex 2.

As a State party to the non-proliferation treaty (NPT) and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), Mexico has signed an Agreement with the International Atomic Energy Agency (IAEA) for the Application of Safeguards in Mexico and an Additional Protocol to that agreement.

The Mexican Government has set up an Inter-Ministerial Commission on International Disarmament, Terrorism and Security composed of the federal government agencies working on those issues. The Commission is responsible for implementing the commitments made by Mexico in the area of international disarmament, terrorism and security and is composed of the following six committees: the Nuclear Affairs Committee, the Chemical and Biological Weapons Committee, the Conventional Weapons Committee, the International Security

Committee, the Committee on International Terrorism Commitments and the Committee on Legislative Harmonization. The composition of these committees is determined on the basis of the areas of responsibility of the participating institutions.

The Chemical and Biological Weapons Committee has already adopted a work plan and timetable with a view to identifying and proposing the legislative and administrative measures needed to achieve the full implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) in Mexico. The Committee is currently drawing up the policy-level projects needed to incorporate the Convention into domestic legislation with a view to promulgating such domestic legislation as may be necessary, including criminal legislation, and/or adopting the administrative measures needed to enable the Convention to be fully implemented, if possible, before the tenth session of the Conference of the States Parties in November 2005.

Paragraph 8 (d)

The Inter-Ministerial Commission on International Disarmament, Terrorism and Security will have the power to invite, at the suggestion of Commission Chairman or at the request of any of its coordinators, representatives of other federal government agencies or entities, state Governments or any other public or private organization to participate in any of the standing committees or in any working group that it establishes, whenever the matters under discussion so require.

This will enable the Commission to maintain contact, as the case may be, with industry and the general public and provide them with information about their legal obligations on the matter and possibilities for international cooperation.

Mexico also participated in the work of the group of government experts that prepared the Study on Disarmament Education and is making every effort to implement its recommendations.

Paragraph 9

Regarding efforts to promote dialogue and cooperation as a way to address the threat posed by the proliferation of weapons of mass destruction, Mexico attaches the utmost importance to the organization of a United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament, in fulfilment of the commitments made at the Millennium Summit.

Moreover, in Mexico's view, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) is the foremost international legal instrument to ban an entire category of weapons of mass destruction under strict and effective international verification and to promote international cooperation in the field of chemical activities for peaceful purposes. Its universal ratification should therefore be promoted.

In the regional context of Latin America and the Caribbean, Mexico is a member of the Network of Experts on Legislative Matters, which offers support and advice aimed at assisting States parties in implementing the Convention on the

Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC).

As part of the efforts to promote the implementation of the Convention, in November 2002, Mexico organized a workshop for Mexican companies on the submission of industrial declarations to the Organization for the Prohibition of Chemical Weapons (OPCW). Mexico and OPCW also organized the First Regional Seminar on the Role of the Chemical and Other Relevant Industries in the Implementation of the Chemical Weapons Convention (CWC) in Latin America and the Caribbean, held from 11 to 13 June 2003.

Mexico has also participated in the various training courses and workshops offered by OPCW, including one on chemicals organized jointly with the Finnish Institute for Verification of the Chemical Weapons Convention (VERIFIN); the National Authority Training Course; the Basic Training Course on Analysis and Verification of Chemicals related to the Chemical Weapons Convention; the Fifth Regional Meeting of National Authorities in Latin America and the Caribbean; the meeting on the topic of the OPCW Assistance and Protection Programme (designed for medical experts); the Emergency Management Training Course; the Internship for Analytical Skills Development; the Second Subregional Meeting of National Authorities in Central America on the Implementation of the Chemical Weapons Convention; the Advanced Course for Personnel Involved in the National Implementation of the Chemical Weapons Convention; and associated programmes.

Paragraph 10

In Mexico's view, the best way to address the threat posed by the proliferation of nuclear, chemical or biological weapons and their means of delivery is through full compliance with the obligations laid down in international instruments on the issue, such as the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (CBW).

Mexico also recognizes the importance of fully implementing regional treaties such as the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco); the Antarctic Treaty; the South Pacific Nuclear Free Zone Treaty (Rarotonga Treaty); the Treaty on South-East Asia Nuclear Weapon Free Zone (Treaty of Bangkok); the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty); and the declaration by Mongolia of its nuclear-weapon-free status. Mexico therefore supports universal ratification of such regional treaties and urges those States that have not yet done so to become a party to these investments.

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 28 October 2004 from the Permanent Mission of Egypt to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Arab Republic of Egypt to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to submit the report of the Arab Republic of Egypt pursuant to paragraph 4 of Security Council resolution 1540 (2004) (see annex).

05-21439 (E) 030305

Annex to the note verbale dated 28 October 2004 from the Permanent Mission of Egypt to the United Nations addressed to the Chairman of the Committee

[Original: Arabic]

Report of Egypt to the Security Council Committee established pursuant to resolution 1540 (2004)

Egypt wishes to affirm its full commitment to resolution 1540 (2004), adopted by the Security Council on 28 April 2004. This is based on its support for international legitimacy and its firm policy to prevent the proliferation of weapons of mass destruction, especially nuclear weapons. At present, in face of the increased danger of such weapons being acquired by non-State actors and the possible hazards resulting from their use by such irresponsible groups for destructive and terrorist aims, Egypt wishes to affirm its complete willingness to cooperate with the international community. In doing so, it is taking all the necessary measures on the domestic, regional and international levels to implement Security Council resolution 1540 (2004). It is also working to address this threat against the safety and security of States in the context of its actions in combating terrorism in all its forms and preventing the acquisition of weapons of mass destruction by non-State actors.

On this occasion, the Government of Egypt wishes to reiterate its previous position on the need for holding an international conference on combating terrorism under United Nations auspices. This was called for in an initiative by President Mohamed Hosni Mubarak in 1986 as an important step towards preventing the acquisition of weapons of mass destruction by non-State actors. The Egyptian initiative aims to hold an international conference to draw up a specific international strategy, map out action plans to combat terrorism, and establish the necessary legal tools that would enable the international community to eliminate it.

I. Egypt's political and international efforts in the field of non-proliferation of weapons of mass destruction

Egypt believes that the proliferation of weapons of mass destruction is an unprecedented threat not only to international peace and security, but also to all humanity. Based on this premise, it considers that combating these evil weapons lies, in principle, in their elimination, with the countries of the world abolishing their nuclear, biological or chemical arsenals.

Against this background, Egypt believes that the best method to ensure that such weapons may not be acquired by terrorist groups or non-State actors — in a manner that is compatible with the aims and objectives of Security Council resolution 1540 (2004) — is for the international community to follow a path that ends in ridding the world of weapons of mass destruction. In this regard, it is possible to outline Egypt's diplomatic efforts, in keeping with the spirit and letter of resolution 1540 (2004), by presenting examples — rather than an exhaustive list — such as the following:

1. Accession to the Treaty on the Non-Proliferation of Nuclear Weapons in 1981 and signing of a full Safeguards Agreement with the International Atomic Energy Agency;

2. Accession to the Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal in 1991;

3. Accession to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, adopted in Rome in 1988;

4. Ratification of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed in Montreal in 1971;

5. Signing of the International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly on 9 December 1999;

6. Signing of the International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly in 1997;

7. Accession to the Convention of the Organization of the Islamic Conference on Combating International Terrorism (1999);

8. Ratification of the 1999 Convention of the Organization of African Unity on the Prevention and Combating of Terrorism, and the 2002 Algiers Plan of Action to implement the Convention;

9. Egypt's efforts through the League of Arab States by which it signed the Arab Code of Conduct for Combating Terrorism (1996), the Arab Strategy for Combating International Terrorism (1997) and the Arab Convention for the Suppression of Terrorism (1998);

10. Egypt's efforts since 1974 to free the Middle East of nuclear weapons, including submission of a draft resolution to the First Committee of the General Assembly to that end;

11. The President's initiative to free the Middle East of weapons of mass destruction and the work of mobilizing international and regional efforts to that end;

12. Egypt's efforts in the context of the Geneva Disarmament Conference with an eye to the commencement of negotiations on a convention on fissile materials;

13. Egypt's efforts in the context of the "New Agenda" group to bring about a nuclear-weapon-free world and, to that end, to secure the adoption of a resolution submitted to the General Assembly on behalf of the States members of the Group;

14. Egypt's active participation in the work of the International Atomic Energy Agency and its working groups to prevent nuclear proliferation;

15. Egypt's participation in the Global Threat Reduction Initiative (GTRI) International Partners' Conference held in Vienna in September 2004, which discussed, among other issues, matters of relevance to resolution 1540 (2004);

16. Egypt's participation in the Working Group formed by the Director-General of the Agency to study the nuclear fuel cycle and methods to control it.

II. Egypt's efforts to combat terrorism in all its forms

Egypt believes that combating terrorism in all its forms, drying up its sources of finance and dismantling its networks on the international level will ultimately lead to achieving the objectives outlined in resolution 1540 (2004) in a manner that prevents the acquisition of weapons of mass destruction by non-State actors.

The Egyptian legislature has had a significant role in confronting the phenomenon of terrorism on the domestic level by introducing amendments to the Penal Code and the Code of Penal Procedure relating to the secrecy of accounts and to weapons and ammunition in accordance with Act No. 97 of 1992, also known as the Terrorism Act, as mentioned in the Penal Code No. 58, articles 86-102. The most relevant features of the Terrorism Act can be summarized as follows:

1. Criminalization of all forms of terrorism, its financing, and all forms of aiding, inciting, collaborating and initiating it;

2. Amendments concerning the secrecy of bank accounts to enable the Prosecutor-General, in complete confidentiality, to establish the truth regarding transactions in accounts held by those accused of such crimes at an appropriate time. This is especially relevant, given the extent to which terrorists, in large part, rely on foreign funding to conduct their activities. This text has been amended by a similar text in Act No. 88 of 2003 concerning the Central Bank and the monetary authority;

3. Egypt also has laws that facilitate the acquisition of information by the competent monitoring authorities, enabling them to prevent any illegal activity, including terrorist operations and the financing of arms acquisition.

III. Current Egyptian laws on weapons of mass destruction

Egyptian legislation includes laws that ban activities involving nuclear, chemical and biological weapons of mass destruction, in keeping with resolution 1540 (2004). These are as follows:

1. Act No. 59 of 1960 on the use of ionized radiation and the prevention of risk (arts. 1 and 2); it confines the use or possession of radioactive materials to the bodies working in this field and imposes full controls on such materials in accordance with current laws and regulations;

2. Act No. 4 of 1994 (arts. 29, 31 and 32), which bans activities involving dangerous materials and waste and the establishing of plants to process dangerous waste unless so authorized by the competent administrative authority and the Environmental Affairs Authority. It also stipulates that disposal of dangerous waste must be conducted in accordance with the norms and conditions outlined by the executive regulations under the law. The Minister of Housing determines, after consultation with the Ministries of Health and Industry and the Environmental Affairs Authority, the locations and conditions suitable for the disposal of dangerous waste under strict supervision and security controls;

3. The same law (art. 32) bans the import into, entry to, or transit via State territory of dangerous waste. It also bans ships carrying dangerous waste from passing through territorial waters or special economic zones unless permitted by the competent authority. The explanatory note to this law states that, given the danger involved in handling dangerous materials and waste, there is a strict ban on the import into or entry to the Arab Republic of Egypt of such materials.

IV. Security and monitoring measures

The competent Egyptian authorities currently enforce appropriate controls to restrict the handling of nuclear, chemical and biological materials, as detailed below:

1. As part of the Government's attempt to combat the smuggling of radioactive sources (specially closed radioactive sources the use of which is widespread in the fields of industry and medicine) and to prevent their acquisition by terrorist groups, the Atomic Energy Authority is currently implementing the Integrated Management Project in collaboration with the National Centre for Nuclear Safety and Radioactive Monitoring. This project includes creating a database of all closed radioactive sources that exist in Egypt, whether they are currently in use or have ceased to operate. The database also includes documents detailing the import of such sources, their types, intensity, location, methods of transport and storage, authorities in charge of them, and the systems for their physical protection. Systems for physical protection of radioactive sources, especially those of higher radioactive intensity, are reviewed in accordance with international standards in coordination with the Ministry of Health. The project also provides for the recycling of radioactive sources for reuse — where possible — or, alternatively, their safe disposal following the appropriate technical methods of preparation;

2. Security inspection of individuals, goods, belongings and vehicles is conducted by means of electronic gates, x-ray machines and fiberscopes;

3. Goods are examined by the committee formed by the competent authorities for this purpose, with the use of s-ray inspection equipment. In addition, supplies for ships and aircraft are provided in accordance with international rules (annex 17 on security issued by the International Civil Aviation Organization and the International Ship and Port Facility Security (ISPS) Code issued by the International Maritime Organization in the context of the International Convention for the Safety of Life at Sea (SOLAS));

4. Security teams take part in inspection at the branches of the General Authority for Monitoring Imports and Exports at all legitimate points of entry into the country. The aim is to tighten control on dangerous (including chemical and explosive) materials. In addition, the General Authority for Exports analyses all shipments and chemical samples to determine their composition and clarify their scientific name;

5. The Atomic Energy Authority monitors ships that pass through the Suez Canal carrying nuclear material, and conducts inspections on them as well as examining their documents and verifying the source and destination of shipments.

V. Egypt's efforts to implement Security Council resolution 1540 (2004)

The Egyptian Government has taken the necessary measures to meet the obligations outlined in the resolution, as detailed below:

1. A national Working Group has been formed consisting of representatives from the Ministries of Foreign Affairs, Defence, the Interior, Justice, Finance, Industry, Civil Aviation, Transport, Housing, the Nuclear Energy Authority, and the Nuclear Material Authority, the Customs Authority, and land and sea entry points. This group will be the core of a strong committee the establishment of which is currently being considered in the context of implementing resolution 1540 (2004);

2. The Working Group meets regularly and its task is to focus on the following:

(a) Matching current legislation and regulations with the obligations outlined in the resolution;

(b) Identifying the fields that might require introducing new legislative, monitoring and executive provisions;

(c) Reviewing the current regulations for monitoring radioactive, dangerous and dual-use material;

(d) Working towards raising the level of awareness of staff employed by authorities and establishments that deal with such material.

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Security Council

Distr.: General
17 December 2004

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 9 December 2004 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Chairman of the Committee

With reference to your note dated 21 June 2004, I have the honour to transmit herewith the first report submitted by the Government of the United Arab Emirates pursuant to paragraph 4 of Security Council resolution 1540 (2004) (see annex).

(*Signed*) Abdulaziz N. Al-Shamsi
Ambassador
Permanent Representative

05-21907 (E) 160205

Annex to the letter dated 9 December 2004 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Chairman of the Committee

[Original: Arabic]

Report presented by the Government of the United Arab Emirates concerning the implementation of Security Council resolution 1540 (2004)

The United Arab Emirates endorses Security Council resolution 1540 of 28 April 2004 which affirms that proliferation of nuclear, chemical and biological weapons as well as their means of delivery constitutes a threat to regional and international stability.

The United Arab Emirates welcomes the ongoing efforts within the context of multilateral arrangements that contribute to non-proliferation. It affirms that it is abiding by its commitments regarding non-proliferation of weapons of mass destruction and is implementing the international agreements and arrangements to which it is a party, namely:

- The Treaty on the Non-proliferation of Nuclear Weapons;
- The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;
- The Convention on the Physical Protection of Nuclear Material;
- The Basic Safeguards Agreement with the International Atomic Energy Agency; and
- The IAEA Code of Conduct on the Safety and Security of Radioactive Sources.

In the context of implementing its international commitments, the Government has done the following:

- Established a national committee on non-proliferation of chemical weapons to monitor and supervise chemical substances;
- Established a national committee to monitor ionized and radioactive substances across the nation;
- Prepared and issued a national plan for confronting the possible effects of weapons of mass destruction;
- Established a federal customs authority to lay down regulations and laws, and to supervise and monitor exports, re-exports, transportation and end-users;
- Established a national counter-terrorism committee to monitor and follow up the ban on the manufacture, possession, acquisition, transport, or use of any type of weapons by any non-State actor for terrorist purposes;
- Established a monitoring department for radioactive prevention within the Ministry of Electricity and Water to implement the federal law on the regulation and monitoring of radioactive sources and protection against their dangers.

The Government has also introduced a number of laws, arrangements and steps to ensure that the local measures needed to implement its commitment to non-proliferation of weapons of mass destruction are in place. It has passed the following federal laws:

- Federal Law No. 1 for 2004 on the regulation and monitoring of radioactive sources and protection against their dangers;
- Federal Law on money-laundering;
- Federal Law on terrorist crimes;
- Federal Law establishing the federal customs authority;
- Regulatory principles for protection against ionized radiations;
- Regulatory principles for transportation and security of radioactive materials;
- Regulatory principles for the management of radioactive waste; and
- Draft plan for radioactive emergency.

Work on the following is expected to be completed in the very near future:

- Draft law on proliferation of chemical weapons and materials;
- Draft law on monitoring exports; and
- Establishment of a national committee for a treaty prohibiting the production, development and stockpiling of biological weapons.

The Government has also organized a number of workshops and symposiums on the following themes:

- Implementation of the Chemical Weapons Convention (in cooperation with the Organization for the Prohibition of Chemical Weapons);
- Preparation of national legislation and professional radioactive protection programmes (in collaboration with the International Atomic Energy Agency);
- Development of technical abilities to support the infrastructure for radioactive safety and waste (in collaboration with the International Atomic Energy Agency);
- Radioactive prevention and security of nuclear materials (in collaboration with the International Atomic Energy Agency); and
- Monitoring of exports (several workshops with friendly nations).

United Nations S/AC.44/2004/(02)/90

Security Council

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17 December 2004
English
Original: French

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 10 November 2004 from the Permanent Mission of Tunisia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Tunisia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to transmit herewith the report of Tunisia on the implementation of Security Council resolution 1540 (2004) (see annex).

05-23152 (E) 010305 030305

Annex to the note verbale dated 10 November 2004 from the Permanent Mission of Tunisia to the United Nations addressed to the Chairman of the Committee

[Original: Arabic]

Report of Tunisia on the implementation of Security Council resolution 1540 of 28 April 2004

Tunisia was among the first to realize the dangers of terrorism in its various forms as a serious aberration in thought and behaviour. Its evil consequences and destructive impact go beyond national borders, threatening security and stability in the entire world. Accordingly, since the early 1990s Tunisia has warned the international community of the dangers of terrorism, and has highlighted the need to combat it in an effective manner. In addition, it has underlined the need to support and coordinate international efforts in combating this phenomenon.

The fact that Tunisia is intent on combating the crime of terrorism in its different forms is reflected in its complete commitment to the relevant Security Council resolutions. For instance, it has submitted two reports to the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities. The first report was submitted pursuant to resolution 1390 (2002) and the second pursuant to resolution 1455 (2003). In addition, it has submitted three reports to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism. In these reports, it outlined all the relevant regulations related to internal and external State security which it had introduced to combat terrorism.

While Tunisia does not possess any type of weapons of mass destruction, it has been eager to accede to the relevant international treaties. It has also been intent on taking the necessary practical steps to protect internal and external State security from any terrorist use of substances that may cause grievous harm to the lives of people or to the environment.

1. **Adopting and enforcing appropriate and effective laws which prohibit any non-State actor from manufacturing, acquiring, possessing, developing, transporting, transferring or using nuclear, chemical or biological weapons and their means of delivery, for terrorist purposes:**

   - Tunisia ratified the Treaty on the Non-Proliferation of Nuclear Weapons in accordance with Act No. 5 of 3 February 1970.
   - Tunisia concluded a comprehensive safeguards agreement with the International Atomic Energy Agency on 24 February 1989 and ratified it in accordance with Act No. 15-90 of 12 February 1990.
   - Tunisia ratified the Convention on the Physical Protection of Nuclear Material on 8 April 1993.
   - Tunisia ratified the Comprehensive Nuclear-Test-Ban Treaty in accordance with Order No. 1615 of 12 July 2004.

– Tunisia has formed a national committee for nuclear safety in collaboration with the International Atomic Energy Agency and this is currently functioning in the context of a regional programme for nuclear safety in African countries in which Tunisia has participated since 2003.

– Tunisia ratified the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction in accordance with Act No. 12 of 23 March 1973.

– Tunisia ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in accordance with Act No. 13 of 3 March 1997.

In addition, Tunisia has created, in accordance with Order No. 626 of 22 March 1999, a national committee pursuant to the requirements of that Convention in order to follow up its implementation and to examine all the issues with a view to promoting the cooperation of the national authorities with the Organization for the Prohibition of Chemical Weapons.

Among the annexes of the Convention are a number of tables that were relevant to the identification of toxic chemicals and related materials. In addition, Tunisia provides, on an annual basis, the Organization for the Prohibition of Chemical Weapons with statistics on the import, export and transit of such materials and the identity of importers and exporters.

– In addition to the above treaties concerning weapons of mass destruction, it should be noted that:

  • Tunisia ratified the International Convention for Safe Containers in accordance with Act No. 53 of 2004 dated 12 July 2004;

  • On 24 August 2004, Tunisia signed the Stockholm Convention on Persistent Organic Pollutants, adopted on 22 May 2001. This Convention stipulates that the States parties shall prohibit and/or take the legal and administrative measures necessary to eliminate the production, use, import and export of the chemicals listed;

Once ratified and in force, the above treaties are considered, under article 32 of the Constitution, to take effect immediately without the need to promulgate them, and take precedence over laws.

– On 10 December 2003, Act No. 75 was passed in support of international efforts to combat terrorism and prevent money-laundering. In part 1, chapter 4, the act defined the crime of terrorism and its punishment as one which "falls into the category of crimes that inflict grievous harm on the environment in a manner that endangers the lives of people or their health".

This act addressed the following:

– Definition of the crime of terrorism;

– Definition of those who commit the crime of terrorism;

– Rules of investigation in crimes of terrorism;

– Combating and prevention of money-laundering;

– Blocking of illicit financial channels;

– Mechanisms to investigate the truth about suspicious operations and creation of a committee within the Central Bank of Tunisia to conduct financial investigations; in this regard, Order No. 1865 issued on 11 August 2004 concerns the structure of the Tunisian Committee for Financial Investigation and its methods of operation.

2. **Taking and enforcing effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery:**

– Tunisia monitors suspicious activities on its land, sea and air borders, especially those related to terrorism and the proliferation of weapons of mass destruction, in collaboration with the competent national authorities;

– Tunisia exchanges information and classified documents within the context of security agreements it has concluded with friendly and fraternal States concerning the combating of international terrorism.

– **Measures to control the import and export of dangerous and explosive materials:**

– In accordance with the requirements of Act No. 63 of 15 July 1996 on control of the manufacture, export, import, transport, storage, use and purchase or sale of explosive materials intended for civilian purposes, and Act No. 37 of 2 June 1997 on transport of dangerous materials by road, and their implementing statutes, the competent authorities have since April 2003 introduced a strengthened system of regulations governing the import and export of dangerous and explosive materials intended for civilian purposes.

– **Creation of teams for X-ray screening at seaports and airports with a large volume of import and export operations:**

• Customs authorities subject all containers and vehicles transporting goods for import to X-ray screening at entry points;

• In cases of suspicion, where the contents of a vehicle or a container do not match what is authorized, the customs authorities conduct a full inspection;

• Customs authorities may thoroughly inspect containers and vehicles at the site of the importer, the warehouse or the exit points;

• Customs authorities subject all containers and vehicles, including empty ones, to X-ray screening.

– Measures and steps have been taken to protect scientific laboratories and factories that may be at risk of having dangerous chemicals stolen from their premises.

– In addition, Order No. 2015, issued on 4 September 2002, concerns revision of the technical rules for preparing and equipping vehicles used for transporting dangerous materials by road.

– Strengthening of specialist explosives teams on national borders;

– Strengthening of the system of information exchange on the national, regional and international levels;

- Enhancement of skills in danger prevention and provision of periodic training for specialist agencies in the security field;
- Exchange of information among specialist security agencies concerning crimes related to security;
- Control of imports containing chemicals that can be utilized to manufacture chemical weapons (chaps. 28 to 38 of the customs import list). It is important to note that the Central Tunisian Pharmacy has a monopoly on the import of pharmaceutical products listed under identification Nos. 30.01 to 30.06.

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Security Council

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21 December 2004

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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 14 December 2004 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Chairman of the Committee

I have the honour to transmit to the Committee herewith the report of the Kyrgyz Republic submitted pursuant to paragraph 4 of Security Council resolution 1540 (2004) (see annex).

(*Signed*) Nurbek **Jeenbaev**
Permanent Representative of the Kyrgyz Republic
to the United Nations

05-29872 (E) 220405 290405

Annex to the letter dated 14 December 2004 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Chairman of the Committee

Report of the Kyrgyz Republic on the implementation of Security Council resolution 1540 (2004)

[Original: Russian]

Commitment to a policy of disarmament and prevention of the proliferation of weapons of mass destruction is one of the main principles underlying the foreign policy of the Kyrgyz Republic.

Strengthening the international regime for the non-proliferation of nuclear weapons on the basis of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remains one of the fundamental ways of addressing those issues.

Kyrgyzstan has been a party to NPT since 5 July 1994 and was actively involved in the work of all three sessions (in 2002, 2003 and 2004) of the NPT Preparatory Committee. Kyrgyzstan supports the decision made at the 2000 NPT Review Conference. It hopes that the 2005 Review Conference in New York will be able to achieve significant progress towards overcoming existing disagreements with a view to the swift implementation and universalization of the Treaty.

Kyrgyzstan considers the Comprehensive Nuclear-Test-Ban Treaty (CTBT) to be one of the key instruments in the area of nuclear disarmament and non-proliferation and for ensuring strategic stability and security. On 8 October 1996, during the fifty-first session of the United Nations General Assembly, and in support of the efforts of the international community to achieve regional and international nuclear security, Kyrgyzstan signed the CTBT.

Kyrgyzstan worked hard to complete the ratification procedure for that important international document and its instrument of ratification of the CTBT was delivered during a meeting between the President of the Kyrgyz Republic and the Secretary-General of the United Nations, as the depositary of the Treaty, during the fifty-eighth session of the United Nations General Assembly in October 2003.

Kyrgyzstan considers that all countries that have not yet signed and ratified the CTBT should do so as soon as possible. That applies particularly to States whose ratification is necessary for the entry into force of the Treaty. It is also important that until the CTBT enters into force, the moratorium on nuclear-weapons tests and any other nuclear explosions should continue to be observed.

After signing NPT, Kyrgyzstan, in accordance with the provisions of the Treaty, was required to establish legal relations with the International Atomic Energy Agency (IAEA) (by putting its military and civilian nuclear facilities under the Agency's control either through accession or by some other mechanism). In that respect, Kyrgyzstan completed the procedure for accession to IAEA in 2003. On 16 September 2003, the IAEA General Conference adopted a resolution on admission of the Kyrgyz Republic as a member of the Agency. Kyrgyzstan thereby officially became the 137th member of IAEA.

Kyrgyzstan's next step towards preventing the spread of nuclear weapons and of material that could be used to make weapons of mass destruction and also towards ensuring the safe application and use of nuclear material was ratification of the Agreement with IAEA for the Application of Safeguards pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons.*

In addition, the Government of the Kyrgyz Republic is making active efforts to accede to the Additional Protocol with IAEA for the application of safeguards.

Kyrgyzstan considers the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction to be an effective instrument for strengthening international peace and security and advocates making it universal.

During the meeting between the President of the Kyrgyz Republic and the United Nations Secretary-General in October 2003 Kyrgyzstan's instruments of ratification to the Chemical Weapons Convention were delivered to the Secretary-General, the depositary of the Convention.

The accession by the Kyrgyz Republic to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction was another clear sign of Kyrgyzstan's commitment to a policy of non-proliferation of weapons of mass destruction.**

The Kyrgyz Republic considers that the Group of Eight Global Partnership against the Spread of Weapons and Materials of Mass Destruction initiative adopted in June 2002 at the G-8 summit meeting in Kananaskis, Canada, is an essential factor in the world for strengthening international security and is interested in developing cooperation within the framework of that initiative. In that respect, Kyrgyzstan welcomes the adoption at the G-8 summit meeting on Sea Island in June 2004 of an action plan on the non-proliferation of weapons of mass destruction.

Kyrgyzstan considers that the establishment of nuclear-weapon-free zones in various regions of the world is contributing significantly to nuclear disarmament and helping to strengthen regional and global peace and security. Recent events involving Iraq, the Islamic Republic of Iran, the Democratic People's Republic of Korea and, earlier, South Asia provided further confirmation of the importance of nuclear disarmament and the non-proliferation regime at a time when they are facing serious problems. Such events show the importance of regional approaches to disarmament and non-proliferation, which could strengthen the global non-proliferation regime.

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* Kyrgyzstan signed the Agreement with IAEA for the Application of Safeguards pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons on 18 March 1998. On 8 December 2003 the Legislative Assembly of the *Zhogorku Kenesh* adopted the Act on ratification of the Agreement between the Kyrgyz Republic and the International Atomic Energy Agency for the Application of Safeguards pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons, signed on 18 March 1998 at Vienna. On 30 December 2003 that Act was signed by the President of the Kyrgyz Republic, A. Akayev. The Agreement entered into force in February 2004.

** On 2 July 2003 the Legislative Assembly of the *Zhogorku Kenesh* adopted the Act on accession by the Kyrgyz Republic to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. The President of the Kyrgyz Republic, A. Akayev, signed the Act on 17 August 2004. On 12 October 2004 the Kyrgyz Minister for Foreign Affairs, A. Aitmatov, delivered Kyrgyzstan's instrument of accession to the Convention to the Minister for Foreign Affairs of the Russian Federation, S. Lavrov, in his capacity as depositary of the Convention.

The Kyrgyz Republic remains committed to the establishment of a nuclear-weapon-free zone in Central Asia and attaches particular significance to the unanimous adoption at the fifty-seventh and fifty-eighth sessions of the United Nations General Assembly of resolutions, calling on all States to support that initiative and help to establish such a zone.

While regretting the lack of progress at the Conference on Disarmament, Kyrgyzstan supports the development of multilateral dialogue on prohibiting the production of fissile material, preventing an arms race and achieving nuclear disarmament within the framework of that forum.

Kyrgyzstan views the International Code of Conduct against Ballistic Missile Proliferation as an important and meaningful way of controlling missile proliferation, which threatens international peace and security, and plans to accede to it in the very near future.

In accordance with the Constitution of the Kyrgyz Republic, international legal agreements and instruments to which Kyrgyzstan is a party are an integral part of national legislation. In that respect, Kyrgyzstan is currently working to establish national bodies for cooperation with IAEA and the Organization for the Prohibition of Chemical Weapons (OPCW). Until those bodies are established, the Ministry of Foreign Affairs will be responsible for developing cooperation with IAEA and OPCW.

The Kyrgyz Republic considers that all States must cooperate with export control regimes in order to prevent the proliferation of weapons of mass destruction and their means of delivery. States in possession of advanced technologies in the area of weapons of mass destruction have an obligation to prevent the proliferation of such technologies so that they cannot fall into the hands of other States or groups that are capable of threatening the world with the use of weapons of mass destruction. Kyrgyzstan is now at the stage of establishing a national export control system.

A legal basis is currently being developed for an export control system in the Kyrgyz Republic. In January 2003 President Askar Akayev signed an Act on export controls. That Act is based on the principles and rules of international law with respect to export controls.

The Act on export controls, signed on 23 January 2003 by the President of the Kyrgyz Republic, along with the existing Acts on licensing and on State regulation of foreign trade activities in the Kyrgyz Republic, are the principal regulatory and legal instruments in the Kyrgyz Republic on issues relating to State security and defence capacity and also on observance of international rules and guidelines on non-proliferation of weapons of mass destruction and their means of delivery.

The Act on export controls sets forth the underlying principles of State policy and the legal foundations for the activities of State administrative bodies and foreign trade actors in the area of export control and also specifies their rights, obligations and responsibilities in that area. Moreover, article 4 of that Act defines the fulfilment of the requirements of international agreements of the Kyrgyz Republic on non-proliferation of weapons of mass destruction and their means of delivery as one of the goals of export control.

Article 13 of the Act on export controls provides for enhancing international cooperation in the area of export control through concerted efforts and cooperation with foreign States to prevent the proliferation of weapons of mass destruction, and their means of delivery and also of technologies to produce them; and through participation in international export control regimes and international forums, as well as negotiations and consultations with foreign States, exchanges of information and the implementation of joint programmes and other bilateral and multilateral export control measures.

The adoption of the Act on export controls thus demonstrates Kyrgyzstan's commitment to the policy of non-proliferation of weapons of mass destruction and their means of delivery and its entry into the world export control system. The establishment of reliable export controls is all the more urgent in that Kyrgyzstan has a problem of uranium tailing dumps, which are not only a threat to the environment but could be a source of proliferation of feedstock for the production of nuclear material.

Kyrgyzstan now has the capacity to export uranium products and rare-earth metals and at the same time to import various kinds of biotechnological and dual-use items.

In international practice, military goods, including weapons, military equipment, firearms, ammunition and other military items, are subject to export control, along with raw materials, material, equipment, technologies and dual-use items that could be used to produce weapons of mass destruction.

In line with the requirements of the Act on export controls adopted in January 2003, the legislative basis has been established for an export control system with respect to raw materials, material, equipment, technologies and dual-use items that could be used to produce weapons of mass destruction and their means of delivery.

Decree No. 121-r of the Government of the Kyrgyz Republic, of 17 March 2003, established a standing interdepartmental working group of experts on export control, including specialists from the Ministry of Defence, the Ministry of Foreign Trade and Industry, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Justice, the National Security Service, the Border Service, the Customs Department of the Ministry of Finance and the National Academy of Sciences, in order to implement the Act on export controls, establish the necessary regulatory and legal basis for the introduction of an export control system for dual-use items, individual types of raw materials, material, equipment and technologies, scientific and technical information and services that may be used for the production of weapons of mass destruction, their means of delivery and other kinds of weapons and military equipment as well as draft proposals for the compilation of a national control on all kinds of controlled items. The working group is drafting proposals to establish and enhance the entire regulatory basis that is required in accordance with the Act adopted.

A draft decree of the President of the Kyrgyz Republic on measures for the further development of military and technical cooperation between the Kyrgyz Republic and foreign States and the introduction of a national export control system, which had been prepared by the working group, was signed by the Head of State in August 2003. The Decree established the Commission on military and technical cooperation and export control. The Commission's main responsibilities include

coordinating the work of State administrative bodies and foreign trade actors with respect to export control, ensuring implementation of State policy in that area, and monitoring compliance with international agreements and regulatory and legal instruments of the Kyrgyz Republic in the area of export control.

Furthermore, the following regulatory instruments were developed by the working group and approved by Government decision No. 330 of 4 May 2004:

- Regulation on the Commission on military and technical cooperation and export control (which provides for the establishment of a single coordinating body in the area of export control and military and technical cooperation);
- Regulation on the export control system in the Kyrgyz Republic with respect to controlled goods (which provides for a uniform export control system and a mechanism for its implementation, by various State bodies and services, and a procedure for reviewing and coordinating the decisions taken by them and verifying and monitoring the end use of controlled items);
- A procedure for issuing permits for the transit of goods subject to export control through the territory of the Kyrgyz Republic (which provides for a mechanism for cooperation among the control agencies and a procedure for organizing inspections of transit cargo and issuing transit permits).

It should be noted that in order to ensure the effective implementation of the Act on export controls, the *Zhogorku Kenesh* introduced a proposal (bill) on the establishment of criminal and administrative liability for violating the export control system, which is currently under consideration.

At the same time several other legislative acts (Acts on licensing and on State regulation of foreign trade activity) were brought in line with the Act on export controls.

Work is now being done to draft a national control list of controlled items.

It should be noted that the work on the preparation of the national control list is drawing on international experience. The working group has studied the experience and lists of such countries as the Russian Federation, Kazakhstan and Belarus, as well as the European Union model export control list and international export control regimes.

One of the most important factors for ensuring an effective export control system is the need to strengthen the physical protection of State borders. Border and customs service personnel are required to undergo regular training, and the posts are being modernized and now correspond to current realities.

In December 2003, by a Decree of the President of Kyrgyzstan, an independent Border Service of the Kyrgyz Republic was established, based on the Main Border Protection Administration which had formerly been part of the Ministry of Defence.

Despite its relatively "young" age, the Border Service has already proved its worth and has been actively involved in efforts to establish an effective export control system.

The Border Service is taking a number of measures to detect and suppress any illegal activity on the State borders of the Kyrgyz Republic. In particular, it is regularly conducting special border operations aimed at detecting and arresting

violators of the State border regime, persons affiliated with international terrorist organizations and also persons involved in smuggling weapons, drugs and other items and substances that are prohibited from being imported into or exported from the territory of the Kyrgyz Republic. The Border Service is taking steps to reconfigure existing border crossing points of the Kyrgyz Republic in accordance with international standards and supply them with modern equipment, and is also working to open new crossing points.

The Government of the United States of America has extended assistance to Kyrgyzstan, free of charge, within the framework of the Export Control and Related Border Security Assistance Program, to ensure border security and strengthen the relevant agencies of the Kyrgyz Republic through material and technical means (such as radio stations and devices for detecting border violations).

At the same time, the Kyrgyz Republic urgently requires the necessary technical resources and financial and methodological assistance to make its export control system fully functional.

The Kyrgyz Republic is fully prepared to engage in dialogue and cooperation in the area of non-proliferation of weapons of mass destruction and their means of delivery and to take joint measures to prevent illicit trafficking in them.

Kyrgyzstan will continue to work actively to implement the provisions of Security Council resolution 1540 (2004).

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 17 December 2004 from the Permanent Mission of Oman to the United Nations addressed to the Chairman of the Committee

The Permanent Representative of the Sultanate of Oman to the United Nations presents his compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and, with reference to the latter's note dated 13 August 2004 and 9 December 2004, concerning the preparation of national reports pursuant to operative paragraph 4 of the aforementioned resolution, has the honour to submit herewith Oman's report to the Committee on steps taken to implement resolution 1540 (2004) (see annex).

05-22097 (E) 090205 090205

Annex to the note verbale dated 17 December 2004 from the Permanent Mission of Oman to the United Nations addressed to the Chairman of the Committee

[Original: Arabic]

Report of the Sultanate of Oman to the Security Council Committee established pursuant to resolution 1540 (2004) concerning weapons of mass destruction

Aware of the threat that the proliferation of weapons of mass destruction and of their means of delivery poses to international peace and security and convinced that all Member States must abide by their disarmament and arms control commitments, the Sultanate of Oman supports the various international efforts to ensure the non-proliferation and elimination of such weapons.

The Sultanate of Oman stresses that the Middle East, one of the most volatile regions in the world, must become a zone free of weapons of mass destruction, including nuclear weapons, especially as that part of the world is faced with an arms race and is seeing the chances for establishing peace and stability vanish.

The Sultanate of Oman attaches importance to this issue as evidenced by its accession to international conventions and treaties on weapons of mass destruction, including the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Comprehensive Nuclear-Test-Ban Treaty as well as by its compliance with the relevant United Nations resolutions. The Sultanate of Oman is making good on its commitments by drafting laws, establishing control measures and applying the necessary procedures on the national level. The law on weapons and ammunition issued in accordance with Sultan's Decree No. 36/90 and amended by Sultan's Decree No. 48/96 establishes measures to prevent terrorists from acquiring weapons in the national territory or elsewhere. There are also arrangements in place on the ground to prevent the acquisition, trade, manufacture or use of any weapons or ammunition by terrorists. To prevent anyone, including terrorists, from acquiring, manufacturing, possessing, transporting, transforming or using weapons of mass destruction or their means of delivery, the Sultanate of Oman makes every effort to ensure control of its borders and to do a thorough search of persons and luggage crossing the borders of the country.

The Sultanate of Oman, which supports firmly the efforts made in all regions of the world to establish international peace and security, is concerned by the intensification of terrorist activities and the prospect that terrorist groups could possess weapons of mass destruction. Given that the situation that prevails in some parts of the world could facilitate the acquisition of such weapons by those groups, the Sultanate of Oman urges the international community to work together to eliminate weapons of mass destruction. In order to dispel fears connected with the proliferation of such weapons, it is necessary above all to put an end to occupation situations and to settle the conflicts that exist in some regions of the world, inter alia, the Middle East, as the status quo can only exacerbate the situation and fuel tensions.

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28 December 2004

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 22 December 2004 from the Permanent Mission of Bahrain to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Kingdom of Bahrain to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to enclose herewith the national report of the Government of the Kingdom of Bahrain in accordance with paragraph 4 of Security Council resolution 1540 (2004) (see annex).

05-24919 (E) 070305 080305

Annex to the note verbale dated 22 December 2004 from the Permanent Mission of Bahrain to the United Nations addressed to the Chairman of the Committee

[Original: Arabic]

Report of the Kingdom of Bahrain to the Security Council on nuclear weapons and weapons of mass destruction pursuant to Security Council resolution 1540 (2004)

The accession of the Kingdom of Bahrain, on 11 October 1988, to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons, is a firm indication of the Kingdom's commitment to the articles of the said Treaty. Bahrain possesses no nuclear weapons or weapons of mass destruction of any kind and exerts every effort to ensure the non-proliferation of such weapons in the Middle East, thus complying with the General Assembly resolutions calling for the conclusion of an agreement on the prevention of further proliferation of nuclear weapons.

Bahrain states its support for all research and development efforts with the International Atomic Energy Agency aimed at promoting the said Treaty, inasmuch as Bahrain is convinced that it is essential for the States parties to the Treaty to apply this principle and incumbent on them to exchange scientific information with a view to promoting the development of nuclear energy applications for peaceful purposes.

Bahrain also calls upon nuclear-weapon States parties to the Treaty not to transfer any nuclear weapons or other nuclear explosive devices and not to help or encourage any other State that does not possess nuclear weapons or nuclear explosive devices to manufacture or acquire such weapons or gain control over them in any other way.

Bahrain further states that it is not in possession of any of the weapons mentioned above or of raw materials or fissile materials specifically prepared for the preparation, use or production of the said weapons and that it does not have any nuclear installations.